

## Bratcher, Mike, EMNRD

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**From:** Amber Cannon <ACannon@yatespetroleum.com>  
**Sent:** Monday, November 25, 2013 2:35 PM  
**To:** Pair, Randal  
**Cc:** clayton@blm.gov; Duncan Whitlock; Jim Amos; Bratcher, Mike, EMNRD; Bob Asher; Katie Parker; Lupe Carrasco; Ernesto Rios (ernesto.rios@energytransfer.com)  
**Subject:** RE: Livingston Ridge SWD Water Line (Release 10/27/2013)  
**Attachments:** H302701BT YPC.pdf; H302701CL YPC.pdf

Attached are the initial analytical results.

Thanks,  
Amber

**From:** Pair, Randal [mailto:rpair@blm.gov]  
**Sent:** Monday, November 25, 2013 11:55 AM  
**To:** Amber Cannon  
**Cc:** clayton@blm.gov; Duncan Whitlock; Jim Amos; Bratcher, Mike, EMNRD (mike.bratcher@state.nm.us); Bob Asher; Katie Parker; Lupe Carrasco; Ernesto Rios  
**Subject:** Re: Livingston Ridge SWD Water Line (Release 10/27/2013)

Amber -

Thank you for your response. I know that we all have more work than we can handle, even had we sufficient resources.

But 3200 bbl is a significant spill. BLM had hoped that this case would receive higher priority - as your timeline notes, one-call was not requested for 2-3 days, and lab results sat in your office for 8 days without review. As we expressed in our first couple of meetings, BLM was concerned that 3200 bbl of contaminated fluid were down there somewhere, and likely were spreading laterally as well as vertically. We still do not know where they are, but it is likely too late now to minimize further lateral spread.

I had mentioned the cross-country loader tracks only because you had stated that "the road will be built over the area the dozer trucks have already been back and forth," which could arguably include those loader tracks. The tracks themselves are not an issue - one trip in and out, no significant disturbance. But they were done in association with your cleanup - from the lease road to your leak site (near sample site 3), no surface poly lines along that route.

I do not understand your reluctance to share lab analysis results. We will need to see them before we approve a cleanup plan, and having them now will allow us to do some internal deliberation. That will speed our comments on and approval of a cleanup plan.

Technically, Yates is in a state of trespass - the leak contaminated ground outside your R/W; and even within Yates' R/W corridor, the leak constitutes undue degradation of resources.

BLM prefers to handle these pipeline spill cleanups without resorting to formal Trespass proceedings. A Trespass action might affect Yates' bonding status; and while the Trespass action was outstanding, this office would not be allowed to process any Yates APDs, R/W applications, etc.

But we do expect, in return, that the R/W grantee will cooperate with us.

The vacuum truck hoses followed two routes. I did not find remaining spills along one route (north, to sample site 2); but the south route still has 2-3 leak spots (photos attached).

Randal "Randy" Pair  
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On Thu, Nov 21, 2013 at 3:37 PM, Amber Cannon <[ACannon@yatespetroleum.com](mailto:ACannon@yatespetroleum.com)> wrote:

Randal,

Yates has been moving as fast as they can for this clean-up. It has been less than a month since the release occurred, and we have been moving at a pretty rapid pace. Below is a timeline of the release since it occurred. Some things are beyond our control, but we have devoted our time and attention as best we can to getting this release cleaned-up. Sometimes timing is beyond our control as we are having to wait on 3<sup>rd</sup> parties for information or scheduling dates to move forward. Yates Environmental personnel are short-handed at this time, and we are handling the clean-up of releases the best we can and as quickly as we can. Releases take time to get cleaned up, especially one of this magnitude.

10/27/2013 – Release occurred.

10/28/2013 – Site was initially visited by Yates Environmental personnel. Yates personnel emailed BLM to check on archeology.

10/29/2013 – Yates received OK from Jim Amos on archeology being cleared. One call was called in.

10/31/2013 – Yates met with BLM, NMOCD, and Transwestern so all organizations involved could discuss work to be done. One call cleared.

11/01/2013 – Initial clean-up was started by a Yates clean-up contractor.

11/04/2013 – Initial vertical delineation samples were taken by Yates personnel.

11/06/2013 – Samples were picked up by Yates' 3<sup>rd</sup> Party laboratory.

11/11/2013 – Yates received analytical results back from the laboratory. (Yates personnel, in charge of the clean-up, were out of the office the entire week.)

11/20/2013 – Yates personnel reviewed analytical results and responded to BLM that further vertical delineation is required at the site.

In the interim, Yates is having their contractor go back out to the site to take care of the spots where the vacuum truck leaked. Yates was under the impression that the contractor took care of these. There is the possibility that they overlooked some of the spots. They will be returning to the site tomorrow to look for these and take care of them. They will also be taking care of any other visibly contaminated material along the TW pipeline. When initial clean-up took place, they had scraped up all visible spots. The spots present now must have come back to the surface.

As far as the tracks you saw driven cross-country, those were not from my contractor or related to the clean-up of this release. My contractors were originally told to stay along the pipeline right of way and to not create tracks in the open pasture areas. The road we are building is along the pipeline where we have already excavated. The tracks you saw may

have been from the crew that was replacing poly lines in the area; I have nothing to do with the crew that was replacing the lines, and have no say over what they do or did.

Thanks,

Amber

**From:** Pair, Randal [mailto:[rpair@blm.gov](mailto:rpair@blm.gov)]

**Sent:** Thursday, November 21, 2013 2:43 PM

**To:** Amber Cannon

**Cc:** Duncan Whitlock; Jim Amos; Bratcher, Mike, EMNRD ([mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)); Bob Asher; Katie Parker; Lupe Carrasco

**Subject:** Re: Livingston Ridge SWD Water Line (Release 10/27/2013)

Amber,

Please forward the analytical results so that we can look them over. BLM had wanted this cleanup to progress more rapidly; perhaps there is some more interim work that could be done prior to full vertical delineation.

Putting in caliche roads for the drill rigs is OK as long as they are along the existing pipeline routes. But I was out there yesterday, and saw that the loader had driven cross-country in a couple of places. If you need to put in a road other than along the pipelines, contact me first. I'll need to check archeology again.

There is still a fair amount of visibly contaminated material on the surface at the SSE end of the TW pipe. And the spill spots where the vacuum truck hoses had leaked have not been cleaned up.

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On Wed, Nov 20, 2013 at 9:11 AM, Amber Cannon <[ACannon@yatespetroleum.com](mailto:ACannon@yatespetroleum.com)> wrote:

Randal,

Yates Petroleum has reviewed the initial analytical results for the Livingston Ridge SWD Water Line release. It has been determined that further vertical delineation is required for this release. Yates has scheduled a core rig for the further vertical delineation process. The core rig is necessary since we sampled as far as we could with the trackhoe during our initial sampling on 11/4/2013.

I have a crew building a caliche road out here for the core rig to get into and out of the release area. The road will be built over the area the dozer trucks have already been back and forth on so we can keep surface disturbance to a minimum at this time.

Sampling will take place sometime during the end of the first week or beginning of the second week of December. As it looks right now, we should be starting out in this area around December 5<sup>th</sup>. We have several other projects out in this area, and this release will be the last on our list for sampling. I will give you a heads up the day before it looks like we will be moving to this release area in case you want to be present for sampling.

As per Yates' normal procedure, the further vertical delineation will take place. Once we receive those analytical results back from the laboratory, all analytical results and a work plan will be submitted to BLM and NMOCD for review.

Should you have any questions, please let me know.

Thanks,

**Amber Cannon**

Environmental Regulatory Agent

Yates Petroleum Corporation

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